

REMARKS

Claims 1-23 are pending while claims 1-13 and 17-23 stand rejected and claims 14-16 are objected to. Applicants cordially acknowledge and thank the Examiner for indication that that claims 14-16 are objected to as being dependent upon a rejected base claim, but are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1, 4, 20, and 23 have been amended and claims 3 and 5 have been canceled, leaving claims 1, 2, 4, and 6-23 for consideration upon entry of the present amendment. No new matter has been added.

Claim Rejections - 35 USC §102

Claims 1-2 and 20 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by Eisenhower. Applicants respectfully traverse.

Claims 1-2, 4, 6-8 and 20 stand rejected under 35 U.S.C. §102(b) as being anticipated by Huyette or Newman (1,821,765). Applicants respectfully traverse.

Claims 1-2, 4, 6-10, 12-13, 17 and 20 are rejected under 35 U.S.C. §102(b) as being anticipated by Newman (2,029,890). Applicants respectfully traverse.

Claims 1-3, 20 and 23 are rejected under 35 U.S.C. §102(b) as being anticipated by Burgess or Treanor. The examiner alleges that the device of Treanor is capable of containing a liquid. Applicants respectfully traverse.

Claims 1-2 and 20-22 are rejected under 35 U.S.C. §102(b) as being clearly anticipated by Chu et al. Applicants respectfully traverse.

To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), *cert. denied*, 484 U.S. 1007 (1988). Moreover, the single source must disclose all of the claimed elements "arranged as in the claim." (Emphasis added). *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984).

Applicants have amended independent claims 1, 4, and 20 to recite – a reservoir configured to contain a liquid coolant . . . and a motor disposed within said reservoir -

None of the above referenced cited prior art teaches or suggests a motor disposed in a reservoir containing a liquid coolant, as claimed. In particular, Burgess discloses an air conditioner having a reservoir 12 separate from a motor 19 via packing glands 16 as seen with respect to Figure 1 thereof. See also Col. 2, lines 22-29.

Furthermore, Treanor discloses an air-cooled transformer having a reservoir 13 separated from motor 16 as best seen in Figure 1. Moreover, Treanor discloses an air-cooled transformer whereby fan blades 17 cause air to be drawn in from the atmosphere and to be force-circulated through the chamber formed between hood 15 and the exterior surface of transformer tank 1. Col. 2, lines 45-48. Treanor merely discloses passing flow of air or other gaseous cooling fluid through the encasing means or tank 1. Col. 3, lines 38-42.

Neither Treanor, nor Burgess, alone or in combination, teach or suggest, a reservoir configured to contain a liquid coolant . . . and a motor disposed within said reservoir, as in claim 1 and similarly claimed in claims 4 and 20. Thus, it is respectfully submitted that claims 1, 4, and 20, including claims depending therefrom, i.e., claims 2, 6-19, and 21-23, define over Treanor and Burgess, as well as Eisenhower, Huyette Newman ('765 and '890), and Chu et al.

Claim Rejections -35 USC §103

Claim 11 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Newman (2,029,890). Applicants respectfully traverse.

It is respectfully pointed out that claim 11 depends from claim 4, which is submitted as being allowable for defining over Newman as discussed above. Furthermore, it is respectfully submitted that use of the copper fins of Newman does not cure the deficiencies noted above with respect to the enumerated cited prior art.

Claims 1-13, 18, 20 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Newman (2,029,890) in view of Burgess or Treanor. Applicants respectfully traverse.

It is respectfully pointed out that Applicants' invention define both Burgess and Treanor as discussed above. Furthermore, it is respectfully submitted that use of the copper fins of Newman does not cure the deficiencies noted above with respect to either Burgess or Treanor.

Claim 19 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Newman (2,029,890) in view of Burgess or Treanor as applied to claims 1-13, 18, 20 and 23 above, and further in view of Mancinelli. Applicants respectfully traverse.

It is respectfully pointed out that claim 19 depends from claim 4, which is submitted as being allowable for defining over Burgess or Treanor as discussed above. Furthermore, it is respectfully submitted that use of the automatically controlled vanes and backflow of Mancinelli does not cure the deficiencies noted above with respect to either Burgess or Treanor.

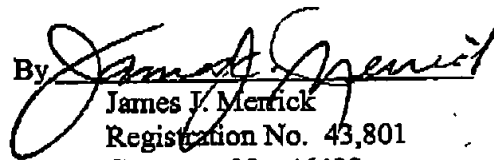
Conclusion

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued.

In the event the Examiner has any queries regarding the presently submitted response, the undersigned respectfully requests the courtesy of a telephone conference to discuss any matters in need of attention. No new matter has been entered and no additional fees are believed to be required. However, if any fees are due with respect to this Amendment, please charge them to Deposit Account No. 09-0463 maintained by Applicants' attorneys.

Respectfully submitted,
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